



PATENT

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Serial No.: 10/696,958)
Applicant: CLINCH and PUZZELLA)
Filed: October 30, 2003)
For: SPLIT WELD CAGE)
NUT ASSEMBLY)
Examiner: Neill R. Wilson)
Art Unit: 3679)
Attorney Docket No.: 140/40303A/954A)

Certificate of Mailing by "Express Mail"	
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<u>Tiffany E. Sexton</u> Tiffany E. Sexton	

RESPONSE TO OFFICE ACTION DATED APRIL 26, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Office Action of April 26, 2004, having a period for response set to expire on July 26, 2004.

Claims 1-42 were rejected under the judicially created doctrine of the obviousness-type double patenting of the claims of United States Patent No. 6,692,206. Applicant submits herewith a Terminal Disclaimer. Therefore, Applicant believes that the rejection has been overcome. Allowance of the application is respectfully requested.

Should the Examiner be of the position that additional amendments are required to place the application in condition for allowance, the Examiner is invited to contact one of the undersigned attorneys at (312) 704-1890.

TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.

Date: May 18, 2004

By: James A. O'Malley
Richard A. Giangiori
Richard A. Giangiori, Reg. No. 24,284
James A. O'Malley, Reg. No. 45,952

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In re application of: Clinch and Puzzella

Serial No.: 10/696,958

Filed: October 30, 2003

For: SPLIT WELD CAGE NUT ASSEMBLY

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

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Timothy E. Seaton

Sir:

Transmitted herewith is a Response to Office Action Dated April 26, 2004 for the above-identified application.

The filing fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	Claims Remaining After Amendment		Highest No. Previously Paid for	Present Extra
TOTAL	* 42	MINUS	** 42	0
INDEP.	* 4	MINUS	** 4	0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
Rate	Addit. Fee
x 9 =	\$.00
x 43 =	\$.00
+ 145 =	\$.00
TOTAL ADDIT. FEE	\$.00

OTHER THAN A SMALL ENTITY	
Rate	Addit. Fee
x 18 =	\$.00
x 86 =	\$.00
+ 290 =	\$.00
TOTAL	\$.00

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- ☐ Please charge my Deposit Account No. 20-1495 in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
- ☒ Terminal Disclaimer to Obviate a Judicially Created Double Patenting Rejection (37 C.F.R. §1.321(c)).
- ☒ A check in the amount of \$110.00 for the Terminal Disclaimer.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 20-1495. A duplicate copy of this sheet is enclosed.
- ☒ Any filing fees required under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17

Dated: May 18, 2004

Richard A. Giangiorgi, Reg. 24,284
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 Attorney of Record